

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SHANE HUMPHREY,

Plaintiff,

v.

M. HOWARD,

Defendant.

Case No. 1:20-cv-00507 NONE SAB (PC)

ORDER GRANTING DEFENDANT'S
MOTION TO MODIFY THE DISCOVERY
AND SCHEDULING ORDER

(ECF No. 28)

On October 19, 2020, the discovery and scheduling order issued in this action. (ECF No. 26.) Pursuant to the October 19, 2020 order, Defendant is to file any motion based on the failure to exhaust administrative remedies by January 19, 2021. (Id.) On December 21, 2020, Defendant filed a motion for a sixty day extension of time to file a motion for summary judgment for failure to exhaust administrative remedies. The Court, having considered Defendant's motion to modify the discovery and scheduling order and defense counsel's declaration in support, finds that good cause exists to grant the motion.

Accordingly, IT IS HEREBY ORDERED that:

1. Defendant's motion to modify the discovery and scheduling order is GRANTED;
2. Defendant shall file any motion for summary judgment based on the failure to exhaust administrative remedies on or before **March 19, 2021**;

- 1 3. All other deadlines specified in the October 19, 2020 discovery and scheduling
2 order (ECF No. 26) shall remain in place.

3
4 IT IS SO ORDERED.

5 Dated: **December 22, 2020**


UNITED STATES MAGISTRATE JUDGE